

PATENT COOPERATION TREATY

REC'D 01 JUL 2005

PCT

Rec'd PCT/PTO 19 SEP 2005

WIPO

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)



10/549923

Applicant's or agent's file reference P14943PCDK	FOR FURTHER ACTION See Form PCT/PEA/416	
International application No. PCT/DK2004/000178	International filing date (day/month/year) 18.03.2004	Priority date (day/month/year) 20.03.2003
International Patent Classification (IPC) or national classification and IPC A21B3/15		
Applicant POULSEN, Jens, Marius ET AL.		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 19.10.2004	Date of completion of this report 04.07.2005
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Lehe, J Telephone No. +31 70 340-3108 

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/DK2004/000178

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-6 as originally filed

Claims, Numbers

10-16 as originally filed

1-9 filed with telefax on 19.10.2004

Drawings, Sheets

1/3-3/3 as originally filed

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/DK2004/000178

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	4-11,13-14,16
	No: Claims	1-3,12,15
Inventive step (IS)	Yes: Claims	
	No: Claims	1-16
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/DK2004/000178

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

- D1: EP-A-0 856 256 (HARTMUTH WERNER) 5 August 1998 (1998-08-05)
- D2: US-A-4 763 639 (GOLDSWORTHY KENNETH M) 16 August 1988 (1988-08-16)
- D3: US-B1-6 184 510 (ZUCKER DAVID) 6 February 2001 (2001-02-06)
- D4: US-A-5 586 491 (DILLER ROBERT J ET AL) 24 December 1996 (1996-12-24)
- D5: GB-A-2 220 346 (W D PERKINS LIMITED) 10 January 1990 (1990-01-10)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

2.1. The document D1 (Fig. 3-4) discloses:

A flexible roasting support (10) for placement on a grid in a fan oven, the support comprising a flexible sheet (19) with perforations (30) distributed over the sheet for circulation of heating air through the perforations, wherein the sheet is susceptor-free (*there is no susceptor present in D1*).

Remark: Even though the holes (30) in D1 appear to be relatively small - having the size of a needle - they will still allow passage of heating air.

3. Dependent claims 2-16 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step:

- Claims 2-3,12,15 (not novel): D1
- Claim 4-5,16 (not inventive): D2 (col. 3, l. 12-20 and Fig. 3)
- Claims 6-9 (not inventive): D3 (col. 6, l. 11-49): Cardboard appears to absorb fat
- Claims 13-14 (not inventive): D4 (Fig. 1)
- Claim 10,11 (not inventive): a silicone layer is known from D5 (abstract)

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/DK2004/000178

REPLACEMENT SHEET

7

CLAIMS

19 OKT. 2004

5 1. A flexible roasting support for placement on a grid in a fan oven, the support comprising a flexible sheet with perforations distributed over the sheet for circulation of heating air through the perforations, wherein the sheet is susceptor-free.

2. A flexible roasting support according to claim 1, wherein the sheet is flexible for easy rolling or unrolling of the sheet.

10 3. A flexible roasting support according to any preceding claim, wherein the perforations are evenly distributed over the sheet.

15 4. A flexible roasting support according to claim 1 or 2, wherein the perforations have a varying density over the sheet adapted for the specific air flow in the fan oven for ensuring even air circulation through the sheet when used in the oven.

20 5. A flexible roasting support according to claim 1 or 2, wherein the density of perforations or the size of the perforations varies from the centre of the sheet to the edge of the sheet adapted for the specific air flow in the fan oven for ensuring even air circulation through the sheet when used in the oven.

6. A flexible roasting support according to any preceding claim, wherein the sheet comprises a fat absorbing layer.

25 7. A flexible roasting support according to claim 6, wherein the sheet consists of a fat absorbing paper sheet.

30 8. A flexible roasting support according to any preceding claim, wherein the sheet comprises a smooth upper layer and a fat absorbing lower layer for absorption of fat flowing from the smooth layer through the perforations.

9. A flexible roasting support according to any preceding claim, wherein the sheet is made of single-use, disposable paper foil.